

REMARKS

Claims 1, 2, 4-14, 16, 20-25, and 27-28 are currently pending in the subject application and are presently under consideration. Claims 3, 15, 17-19, and 26 have been cancelled and thus are no longer pending. Claims 2, 9, 14, 16, 20, 22, and 25 have been amended herein. A complete listing of the claims can be found on pages 3-8. In addition, FIGURE 1 has been amended as indicated on page 2 of this Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-16 and 22-28 Under 35 U.S.C. §102(e)

Claims 1-16 and 22-28 stand rejected under 35 U.S.C. §102(e) as being anticipated by Leclercq (US 2004/00248624). Applicants' representative respectfully disagrees that Leclercq anticipates the subject claimed matter, and requests this rejection be withdrawn for at least the following reasons. Leclercq *et al.* does not teach or suggest each and every element of the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Claim 1.—The subject independent claim recites ***determining a next first communications wakeup time; and synchronizing a new second wakeup time to said next first communications wakeup time when said next first communications wakeup time is earlier than a next second wakeup time.*** Leclercq fail to disclose such novel features. The cited reference discloses a “[s]ystem and method for providing clocks to digital circuitry with a need for multiple clocks” (Abstract; Leclercq). In addition, Leclercq discloses a “clock domain generator (VCDG) [...] that can be enabled during a power-on sequence of the mobile telephone and used to control each of a plurality of individual clock domain blocks” (paragraph [0034]; Leclercq) and “[t]he wakeup signal

may be asserted by a clock domain block when it desires to wakeup from sleep mode. The mobile telephone may also assert a wakeup signal (via a software wakeup block 335). The wakeup signals from the clock domain blocks and the software wakeup block 335 may be combined via an OR gate 340 and provided to the VCDG 305, assuring that if one or more of the clock domain blocks (or the mobile telephone) is waking up, then the VCDG 305 will also be woken up" (paragraph [0037]; Leclercq). Such passages of Leclercq, cited in the Office Action dated September 11, 2007, fail to disclose *determining a next first communications wakeup time* and *synchronizing a new second wakeup time to said next first communications wakeup time when said next first communications wakeup time is earlier than a next second wakeup time*. Rather, in Leclercq an OR gate ensures that a clock domain block and a the VCDG wake up simultaneously, however, Leclercq is silent regarding *determining a next first communications wakeup time* that is compared to *a new second wakeup time* and employed to synchronize the new second wakeup time *when said next first communications wakeup time is earlier than a next second wakeup time*. It should be appreciated that in applicants' claimed subject matter, synchronization is effected as a result of a relationship between determined wakeup times. In contrast, in Leclercq the VCDG wakes up "if one or more of the clock domain blocks (or the mobile telephone) is waking up" (paragraph [0037]; Leclercq). Therefore, Leclercq fails to disclose each and every element as set forth in independent claim 1.

Claims 2, and 4-8.—Independent claim 2 (from which claims 4-8 depend) recites *determining a next communications wakeup time; establishing a next UWB wakeup time; and synchronizing a new UWB wakeup time to said next communications wakeup time when said next communications wakeup time is earlier than the next UWB wakeup time*. Leclercq fails to disclose such novel features. As mention above, the cited reference discloses "The wakeup signals from the clock domain blocks and the software wakeup block 335 may be combined via an OR gate 340 and provided to the VCDG 305, assuring that if one or more of the clock domain blocks (or the mobile telephone) is waking up, then the VCDG 305 will also be woken up" (paragraph [0037]; Leclercq). Leclercq is silent regarding *determining a next communications wakeup time* and *establishing a next UWB wakeup time*. In addition, Leclercq is silent regarding *synchronizing a new UWB*

wakeup time based on a relationship among the *next communications wakeup time* and *the next UWB wakeup time*. Rather, in Leclercq the VCDG wakes up “if one or more of the clock domain blocks (or the mobile telephone) is waking up” (paragraph [0037]; Leclercq). Therefore, Leclercq fails to disclose each and every element as set forth in independent claim 2 (and claims dependent therefrom).

Claims 9-13.—Independent claim 9 (from which claims 10-13 depend) recites *determining a current communications time from a received pilot signal transmitted by a base station; determining a current UWB time from an internal clock in the UWB module; calculating a communications interval, said communications interval equaling a next communications wakeup time less said current communications time; and synchronizing a new UWB wakeup time to said next communications wakeup time when said current UWB time plus said communications interval is less than a next UWB time.* Such novel features are not disclosed by Leclercq. The cited reference is silent regarding *determining a current communications time from a received pilot signal* and *determining a current UWB time from an internal clock in the UWB module*. In addition, Leclercq is silent regarding *calculating a communications interval, said communications interval equaling a next communications wakeup time less said current communications time*. Moreover, as discussed above in connection with independent claims 1 and 2, the cited reference fails to disclose *synchronizing a new UWB wakeup time to said next communications wakeup time when said current UWB time plus said communications interval is less than a next UWB time*. Rather, in Leclercq the VCDG wakes up “if one or more of the clock domain blocks (or the mobile telephone) is waking up” (paragraph [0037]; Leclercq), and such is not synchronizing a wakeup time *when said current UWB time plus said communications interval is less than a next UWB time*. Therefore, Leclercq fails to disclose each and every element as set forth in independent claim 9 (and claims dependent therefrom).

Claims 14-16 and 22.—Independent claim 14 (from which claims 15,16 and 22 depend) recites *a communications module configured to perform a communications wakeup process at a next communications wakeup time, wherein the communications module includes a communications transmitter/receiver and a communications antenna configured to receive a pilot signal from a base station so as to synchronize*

the communications module with said base station and derive a current communications time from said pilot signal and a processor configured to synchronize a new UWB wakeup time to said next communications wakeup time when said next communications wakeup time is earlier than a next UWB wakeup time. Such novel features are not disclosed by Leclercq. The cited reference discloses a mobile telephone “comprising an analog processing hardware block coupled to an radio frequency (RF) transceiver, the analog processing hardware block containing circuitry to amplify, filter, and gain control a signal provided by the RF transceiver” (paragraph [0011]; Leclercq). Yet, Leclercq is silent regarding *communications transmitter/receiver and a communications antenna configured to receive a pilot signal from a base station so as to synchronize the communications module with said base station and derive a current communications time from said pilot signal.* The limitation of *a processor configured to synchronize a new UWB wakeup time to said next communications wakeup time when said next communications wakeup time is earlier than a next UWB wakeup time* is similar to limitations set forth in independent claims 1, 2, and 9, and for at least the same reasons as stated when discussing such independent claims Leclerc fails to disclose each and every element as set forth in independent claim 14 (and claims dependent therefrom).

Claim 25.—Independent claim 25 recites a *means for synchronizing a new UWB wakeup time to said next communications wakeup time when said next communications wakeup time is earlier than a next UWB wakeup time.* Such novel feature is not disclosed by Leclercq. The subject claimed feature of independent claim 25 is similar to limitations of independent claims 1, 2, 9, and 14, and for at least the same reasons as stated when discussing such independent claims, Leclerc fails to disclose each and every element as set forth in independent claim 25.

Claims 27 and 28.—Independent claim 27, from which claim 28 depends, recites *a digital signal processing means for interpreting digital signals to synchronize a wakeup schedule for a UWB module and a wakeup schedule for a communications module in a wireless mobile unit by: determining a next communications wakeup time; and synchronizing a new UWB wakeup time to said next communications wakeup time when said next communications wakeup time is earlier than a next UWB wakeup time.* Such novel features are not disclosed by Leclercq. The indicated claimed limitations of

independent claim 27 are similar to limitations of independent claims 1, 2, 9, 14, and 25, and for at least the same reasons as stated when discussing such independent claims, Leclerc fails to disclose each and every element as set forth in independent claim 27 (and claims dependent therefrom).

In view of at least the foregoing, and that the standard by which anticipation is to be measured is *strict identity* between the cited document and the subject matter as claimed, not mere equivalence or similarity (see *Richardson* at 9 USPQ2d 1913, 1920), applicants' representative respectfully requests this rejection of independent claims 1-16 and 22-28 withdrawn.

IIa. Rejection of Claims 17-21 Under 35 U.S.C. §103(a)

Claims 17-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over anticipated by Leclercq (US 2004/00248624) in view of Lee *et al.* (US 6,741,836). In view of the cancellation of claims 17-19 this rejection of such claims is now moot. Regarding claims 20 and 21, applicants' representative respectfully requests withdrawal of this rejection for at least the following reasons. Claims 20 and 21 depend from independent claim 14 and as discussed above, Leclercq fails to disclose each and every claimed feature of claim 14.

IIb. Disqualification of Prior Art Under 35 U.S.C. §103(c)

Applicants' representative respectfully submits that Lee *et al.* (US 6,741,836) should be disqualified as prior art according to 35 U.S.C. §103(c) as it was commonly assigned to Qualcomm Inc. at the time the present invention was made.

For at least the foregoing reason, applicants' representative respectfully requests withdrawal of the rejection under 35 U.S.C. §103(a).

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063[QUALP837US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,
Amin, Turocy & Calvin, LLP

/Himanshu S. Amin/
Himanshu S. Amin
Reg. No. 40,894

Amin, Turocy & Calvin, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731